IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

WEDNESDAY, THE TWENTY THIRD DAY OF NOVEMBER,
TWO THOUSAND AND FIVE
: PRESENT:
THE HON'BLE MR. JUSTICE : M. VENKATESWASRA REDDY.

CRIMINAL PETITION No. 2301 of 2005

Between:

1. Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, rep. by its Chairman, Gate No.96, 97, Kambari South Solapur, Sholapur District.
2. Damodar I. Naila, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O 34/2/61, N. P. Peth, Solapur.
3. R.D. Sherala, Manager in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O Akkalkot Road, Village, Kumbari, Sol;apur District, Maharashtra State.
4. Govardhan S. Yannam, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, 1839,New Pacchapet, Dutta Nagar, Solapur.
5. Sudarshan N. Bollam, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, 18/79, Mahava Nagar, Solapur.
6. Janardhan Y. Karampuri, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, 56, A. Jayalakshmi Housing Society, Hyderabad Road, Solapur.
7. Lakshminarayana Kondi, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, 108/C7/87, Bhavani Pet Sholapur.
8. Avinash Konda, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O 49, Guruwar Peth Solapur.
9. Mohan H. Sarangi, Chairman in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O 349, Shankar Peth, Solapur.
10. Yalladas Y. Lachampure, Vice Chairman, Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O 94/248, Jodh Bhavai peth, Solapur.
11. Appa Rao L. Sonavance, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O 9/176, Ravi War Peth, Solapur.
12. Damodar B. Ippalpalli, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O 183, Dutt Nagar, Solapur.
13. Smt. Sarojani K. Ankam, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O 94/216, Jod Bhavai Peth, Solapur.
14. Smt. Padmavathi R. Pogul, Director in Sharada Yantrang Vinkar Sahakari Sooti Giani Niyamit, R/O 102 C 89, Bhavani Peth Solapur.

Petitioners

AND

1. The State of A.P., rep. by Public Prosecutor, High Court of A.P., Hyderabad.
2. M/s. Goodwill Cotton Yarn Traders rep. by its Prop. Sarode Santosh Kumar S/O Sarode Tayyappa, 23 years, having business, at Municipal Buildings Upstairs, Municipal Main Road, Adoni, Kurnool District.

Respondents

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated therein, the High Court may be pleased to quash the F.I.R. No.89 of 2003 registered by Police II Town, Adoni, Kurnool District.

The petition coming on for hearing as to admission, upon perusing the Petition and the grounds filed herein and the order of the High Court dated. 20-06-

2005, 12-07-2005, 28-7-2005 & 19-10-2005 and made herein and upon hearing the arguments of Mr. J. Janaki Rami Reddy, Advocate for the Petitioners and of the Public Prosecutor on behalf of the Respondent No. 1 and of Mr. O. Kailash Nath Reddy, Advocate for the respondent No. 2, the Court made the following

Cotnd..2..

ORDER:-

"The admitted facts of the case are that the complainant supplied cotton to the petitioners-accused herein. The petitioners made some payments, and some amounts are due in that regard to the complainant. The complainant filed civil suit for recovery of the said amount and the suit is still pending. Apart from that, the present complaint is filed.

The contention advanced by the learned counsel for the petitioners is that virtually suit transaction is converted into a criminal case.

Admit.

Interim stay granted on 20.06.2005 is made absolute.

Registry is directed to post the criminal petition in the last week of December, 2005 for final hearing."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The II Town Police Station, Adoni, Kurnool District.
2. Sarode Santosh Kumar S/O Sarode Tayyappa, Prop. M/s. Goodwill Cotton Yarn
   Traders having business, at Municipal Buildings Upstairs, Municipal Main Road,
   Adoni, Kurnool District.
3. Two CCs to the Public Prosecutor, High Court of A.P., Hyderabad **(OUT)**
4. One spare copy.

TKK

HIGH COURT

MVR.J

DATED : 23-11-2005.

ORDER

Crl. P. No. 2301 of 2005

INTERIM ORDER IS
MADE ABSOLUTE.

HIGH COURT

DRAFTED BY : TKK
DRAFTED ON : 29-11-2005

MVR.J

DATED: 23-11-2005.

Note :- Registry is directed to post the criminal petition in the last week of December, 2005 for final hearing.

ORDER

Crl. P. No. 2301 OF 2005

INTERIM ORDER IS MADE ABSOLUTE.